

# Notice of Allowability

Application No.

10/070,429

Examiner

Nasrin Hoque

Applicant(s)

NOBUHIRO, SAKIMA

Art Unit

2631

RM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/17/2006.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

TESFALDET BOGURE  
PRIMARY EXAMINER

### DETAILED ACTION

1. The amendments filed on 01/17/2006 has been entered and made of record.

Claims 1-18 are pending in this application.

### Allowable Subject Matter

2. The following is examiner's statement of reason for allowance for claims 1-18:

*The close cited references failed to teach that a mode selection unit operates either on a one-frame average or one-slot average for controlling AGC where one frame includes a plurality of slots (Fig 1 and Fig 2).*

### Conclusion

3. The closest references (Patent # : 5,917,865 & Pub: 2001/0048727) discloses a gain control unit (5,917,865 : Fig 1, block 136, column 4, lines 19 - 30) which updates a variable gain amplifier (5,917,865: Fig 1, block 110, column 4, lines 10-16) in accordance with the output received from an 5,917,865 discloses that a mode 'selection unit" (5,917,865: Fig 1, blocks 132, 134 and 135, column 4, lines 53 - 55 and lines 48-50) selects a mode based on output received from analog to digital converter (5,917,865: Fig 1, block 120, column 4, lines 19 - 30) and the selected mode information is received by a gain control unit (5,917,865: Fig 1, block 36, column 4, lines 19 - 30) which includes a peak sampling sub circuit that samples the peak values of the digital signal over variable period of time and a

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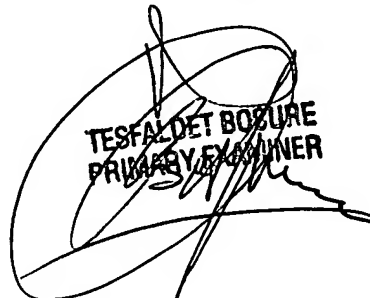
gain signal adjustment sub-circuit coupled to the peak sampling sub-circuit that operates in a selected one (5,917,865: column 2, lines 28 - 33) and a gain adjustment factor depends on time frame which consists of time slots within a time frame (not on averages of either one frame or one slot per claimed).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasrin Hoque whose telephone number is 571-272-5948. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's manager, Tesfaldet Bocure, can be reached on 571-272-3015. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Nasrin Hoque  
Examiner  
Art Unit 2631

  
TESFALDET BOCURE  
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